

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

ROBERT DARREL PRESLEY, SR.,

Plaintiff,

Case No. 3:20-cv-295

vs.

COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,

District Judge Michael J. Newman

Defendant.

ORDER: (1) GRANTING PLAINTIFF'S UNOPPOSED MOTION FOR AN AWARD OF ATTORNEY'S FEES UNDER THE EQUAL ACCESS TO JUSTICE ACT ("EAJA") (DOC. NO. 16); AND (2) AWARDING PLAINTIFF \$5,832.75 IN EAJA FEES.

This Social Security case is before the Court on Plaintiff's unopposed motion for attorney's fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), in the amount of \$5,832.75 (Doc. No. 16), and his attorney's affirmation in support (Doc. No. 17). The parties do not dispute that all requirements are met for a reasonable award of EAJA fees. Doc. No. 16. Therefore, the Court: (1) **GRANTS** Plaintiff's unopposed motion (Doc. No. 16) and (2) **AWARDS** Plaintiff EAJA fees in the amount of \$5,832.75. Counsel for the parties shall verify whether Plaintiff owes a preexisting debt to the United States subject to offset, consistent with *Astrue v. Ratliff*, 560 U.S. 586 (2010). If no such pre-existing debt exists, Defendant shall pay the EAJA award directly to Plaintiff's counsel pursuant to the EAJA assignment signed by Plaintiff and counsel. No further matters require review in this case; accordingly, it remains **TERMINATED** upon the Court's docket.

IT IS SO ORDERED.

October 7, 2021

s/ Michael J. Newman

Hon. Michael J. Newman
United States District Judge